THE UNITED STATES PATENT AND TRADEMARK OFFICE Application of: Docket No. 91221B Art Unit: 1301 Thomas Joseph Segatta et al Examiner: Adrienne C Johnstone For: TIRE WITH APEX RUBBER I hereby certify that this correspondence is being **BLEND** ) deposited with the United States Postal Service as first class mail in an envelope addressed to: Serial No. 08/353,942 Commissioner of Patents and Trademarks, Washington, DC 20131 on December 11, 1996 Filed: December 12, 1994 Reg. No. 30,262 Bruce J Hendricks

Assistant Commissioner for Patents Washington, D.C. 20231

## NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated November 22, 1996, of the Examiner finally rejecting claims 1, 2, 4-6, 8-14.

The items checked below are appropriate:

- 1. [X] A Petition for Extension of Time of one month to respond to the final rejection is mailed herewith.
- 2. [X] The claims in the above-identified patent application are under a final rejection and this Notice of Appeal is being filed in accordance with 37 CFR §1.191 (a).

- 1 -

- 3. Fee \$300
  - [] Enclosed.
  - [] Not required (fee paid in prior appeal).
  - [X] Charge to Deposit Account No. 07-1725.
- 4. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to account No. 07-1725.

Triplicate copies of this form are enclosed.

Respectfully submitted,/

Attorney for Applicant(s)

Bruce J Hendricks, Reg. No. 30,262 Department 823 The Goodyear Tire & Rubber Company 1144 East Market Street Akron, Ohio 44316-0001 Telephone: (330) 796-3151

BJH/klh

cc: J E Grillo